

FREAR SUMMONS LEGISLATURE

COULD NOT SHIP FREIGHT TO HAWAII

AMERICAN TYPE FOUNDERS
COMPANY

SAN FRANCISCO, OCT. 9, 1909.

HAWAIIAN NEWS CO.,
HONOLULU, T. H.

DEAR SIRS: WE REGRET TO INFORM YOU THAT WE ARE UNABLE TO MAKE YOU A SHIPMENT ON THE OUTGOING STEAMER ALAMEDA, OWING TO THE FACT THAT THERE WAS SO MUCH FREIGHT ON THE DOCK THAT THEY REFUSED SHIPMENT TWO DAYS BEFORE SAILING. WE SENT THE SHIPMENT DOWN FOR YOU AND OUR TEAMSTER HAD TO STAND IN LINE TWO HOURS BEFORE HE COULD GET ANYWHERE NEAR THE DOCK, AND AFTER HE GOT UP TO THE RECEIVING CLERK HE WAS REFUSED SHIPMENT OF THE GOODS.

AMERICAN TYPE FOUNDERS COMPANY

DR. ATCHERLEY PLEADS HIS OWN CASE IN COURT

MRS. ATCHERLEY IS ALSO GRANTED THE EXTRAORDINARY PRIVILEGE OF APPEARING AS ATTORNEY FOR HER HUSBAND AND ADDRESSING THE SUPREME COURT—BY AFFIDAVIT SHE ALLEGES A DESIGN TO TAKE DR. ATCHERLEY'S LIFE.

A legally insane person, at the moment under watch and ward, pleading his own cause for release from the Insane Asylum before the highest court of the Territory, made a portion of what must be an exceedingly rare incident this morning. Rather more unusual was another phase of the event, that of a lay woman being permitted to address the court on her husband's behalf. This extraordinary privilege was of the sudden grace of Chief Justice Hartwell, instantly following his stern denial of the woman's request to be heard.

It was the case of Dr. John H. Atcherley and the particular matter was

a motion of Chairman Alexander Lindsay of the Lunacy Commission, presented by Deputy County Attorney Milverton, for leave to file a transcript of the testimony given before that body in the case. This again was in connection with the appeal of Dr. Atcherley from Judge Robinson's dismissal of a writ of certiorari to the Lunacy Commission requiring it to transmit the testimony.

Mr. Milverton pointed out that a writ of certiorari was to correct a record whereas what the petitioner wanted was to supply or extend a record.

Dr. Atcherley, assiduously prompted by his wife at his side, in faultless diction argued that the testimony produced in the court next below was that taken before District Magistrate Andrade and not that taken before the Lunacy Commission on appeal from his commitment to the Asylum by Andrade.

He was going on to show the discrepancy between the two sets of testimony with regard, so far as he went, to the noises his enemies made under his house, when the Chief Justice interrupted him to state that the question before the court was solely whether the Lunacy Commission record should be sent up. The doctor then abruptly closed with a few words almost inaudible. He had made the single point that one of the strongest contentions he argued in the court below was that the Lunacy Commission had committed him on the District Court record and not on the evidence heard by itself, and that he was therefore entitled to his discharge on appeal to the Circuit Court.

Mr. Milverton having briefly replied, Mrs. Atcherley asked leave to address the court.

"You know you cannot, Mrs. Atcherley," Chief Justice Hartwell replied. "It is against the law." Then, reluctantly, he said it was a peculiar situation, as Mrs. Atcherley stood in

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EXTRA SESSION CALLED THE LAND QUESTION

Governor Frear this morning issued a proclamation convening the legislature in special session November 2, to consider an act to amend the Organic Act, already published, the main features of which are amendments of the land laws.

Speaking about his proclamation, Governor Frear this morning said: "It seemed best to call the Legislature together on a matter of this kind. Of course the Legislature had the matter before it to some extent last session, but there have been some developments since then which have made it advisable to change some of the provisions of the proposed measure of amendments to the Organic Act. It may be feasible also to give the bill more probability of passing Congress."

"The conferences held on the subject have been both on the form of the bill and what was the best course to pursue with regard to securing its passage."

"Besides issuing the proclamation I have sent out a notice to each individual member of the Senate and the House. Members will be entitled to sessional allowance of \$200 each and traveling expenses."

"There have been two special sessions of the Legislature since the inauguration of the Territory in 1900. The first was of the Senate alone, which convened November 20, 1902. It was called to consider appoint-

ments and removals of officers. It cost \$4028.70. This was under Governor Dole's administration.

"On the other occasion the entire Legislature convened April 6, 1904, and the session lasted twelve weeks. It cost \$11,079.68. Its purpose was to consider financial measures, Appropriation bills and other measures bearing on the Territorial finances were submitted by Governor Carter. The Territory had piled up a large deficit, and it seemed right to put things in good shape before the next regular session."

Governor Frear gave the impression of feeling a sense of relief over having had the important question definitely decided.

The following is the Governor's explanatory statement of proposed amendments to Organic Act:

The Organic Act of the Territory was passed nearly ten years ago. In the light of its practical working during this period and in view of changing conditions, it has been a question, more or less discussed, for several years whether a general revision or an amendment of the Act in a number of particulars ought not to be made in order to meet present requirements.

A bill for this purpose was finally introduced in Congress nearly a year ago, and has since been altered from time to time in details as the result

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from her is under the impression that one of the men wore a mask.

BOY IS HELD UP

EVIDENCE OF MASKED ROBBERS WHO LIE IN WAIT FOR VICTIMS.

Thirteen-year-old Arthur Morgan, the son of the well known horseshoer on King street, was last night, about 10 o'clock held up by two men, one white and the other part-Hawaiian, in Kapiolani park, near the Hopkin residence.

A number of men and women were seated on the broad lanai of Mrs. Puah's place, in Kapiolani park, when the boy came running to the house, attracted by the lights, crying that he had been held up by a couple of men.

The boy seemed very scared and wanted to be taken home. A man and his wife took the lad to his father's place.

According to the stories of the neighbors there have been other people held up about the same place. A lady was relieved of a purse containing six dollars. She described the men as one being a haole and the other a part-Hawaiian.

Another woman, one who was visiting the house of Mrs. Puah last evening, recently begged a male friend not to walk to his home as she was sure if he did so he would be held up and robbed.

It is thought that she is aware of the identity of the men who are engaged in the alleged hold-up work; she seemed so certain that there was robbery afoot on the night in question. Nothing was taken from the boy who was held up last night, for the reason that he ran as fast as he could to the only light he saw. There is a scarcity of lights in Kapiolani park.

The lady who had her purse taken

FIVE DAYS FESTIVAL STARTS FOR FRISCO

(Associated Press Cable to The Star.)

SAN FRANCISCO, October 19.—Five days' carnival of this city's great Portola festival started this morning.

In the magnificent parade there figured American soldiers and marines, and marines from the British, German, Dutch, Italian and Japanese ships of war visiting this port in honor of the celebration.

Men-of-war from H. M. S. Bedford, the German cruiser Arcona, the Dutch cruiser Noordbrabant and the Japanese cruiser Idzuma, and from the Italian warship, marched in line with United States sailors, soldiers and marines, the bands of the various ships adding to the liveliness of the occasion.

This morning Dan Gaspar de Portola effected a landing at the foot of Market street and the parade proceeded up that thoroughfare, the keys to the city being given to Portola by the Mayor at Marshall square.

Early this afternoon Portola and escort reached the St. Francis hotel, following which Portola was presented to the Queen of the festival in Union square.

A band concert here occurred, there being thousands congregated in the open space.

A luncheon to the King and Queen, given by the Portola festival executive committee in the St. Francis hotel was one of the main features of the day.

At noon President Taft's toast to the city of San Francisco was drunk and at that hour, or at hours corresponding to the noon hour in this city, the toast was drunk around the world.

At Golden Gate park stadium this afternoon there is a game of inter-collegiate football being played which is attended by hundreds upon hundreds of merry-makers.

This evening there will be another band concert in Union square and the city will be illuminated throughout.

FAMED ITALIAN ALIENIST DEAD

TURIN, October 19.—Cesare Lombroso, world famous criminologist and alienist, professor of psychiatry, University of Turin, died here today, in his seventy-fourth year.

Lombroso was born in Verona. In 1870 he was married and a son and two daughters were born. Two of his notable English publications are "Man of Genius," 1891, and "Female Offender," 1895. He wrote many exhaustive works in Italian. Bicycling was his favorite recreation.

NIPPON BANK CLOSES

SACRAMENTO, October 19.—The Nippon Bank of this city has today voluntarily closed its doors, unable further to conduct business.

PEKING, October 19.—Four treaty ports in the District of Chientao will be thrown open on November 1.

VALTA, October 19.—The Czar Nicholas has sailed for Italy.

LISBON, October 19.—In a street disturbance here today, following the agitation as the result of the execution at Barcelona of Francisco Ferrer, the socialist convicted as a revolutionist, some member of the excited mob hurled a bomb which exploded near a church, several people being severely injured.

THREE DAYS OF SPECIALS. er narcotic. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

Monday, Tuesday and Wednesday will be special days at Sachs' Dry Goods Co. Five big money savers. See ad in this issue.

A SAFE MEDICINE.


Don't be afraid to give Chamberlain's Cough Remedy to your children. It is intended especially for coughs, colds, croup and whooping cough, and diseases. It contains no opium or other it is the best medicine made for these

ROYAL

BAKING POWDER
Absolutely Pure

The only baking powder made with Royal Grape Cream of Tartar
No Alum, No Lime Phosphate

Heywood for Men
"Heywood Shoes Wear."
SOLE AGENTS
MANUFACTURERS' CO. CO.
LIMITED
1051 Fort Street. Tel. 282

Talks on Wills
No. 5.
Drawing a WILL

The main point in drawing a Will is to SECURE CLEARNESS OF EXPRESSION.
Then consider the many contingencies that must be provided for. Drawing a will requires constructive law of the highest quality, particularly if there are trust provisions.
Have your Will drawn free by the best legal talent by naming as Executor the
Hawaiian Trust Co., Ltd
923 Fort Street.